

1979 WL 42853 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 8, 1979

*1 Honorable David O. Hawkins
Representative
District No. 35
Solomon Blatt Building
Columbia, SC 29201

Dear Representative Hawkins:

Mr. McLeod has referred your recent letter to me for reply. You have stated that persons who live outside of the Woodruff-Roebuck Water District have petitioned the commissioners of the service district to be annexed by the service district. You have inquired as to the procedure by which a special service district may enlarge its service area.

South Carolina Code of Laws, 1976, Section 6-11-420 states in part that

[t]he county boards of the several counties of the State are authorized to enlarge, diminish or consolidate any existing special purpose district located within such county . . .

Section 6-11-430 states

[e]ach county board may, on its own motion, and shall, upon the petition of the commissions of the special purpose districts to be affected, take the action authorized by this article to enlarge, diminish or consolidate any special purpose districts lying within such county. In each such instance, by resolution duly adopted, the county board shall order a public hearing to be held for the purpose of making a determination as to whether and to what extent a special purpose district shall be enlarged, diminished or consolidated.

Therefore, the county board on its own motion or by petition of the commissioners of the special purpose district may enlarge the special purpose district.

Very truly yours,

Treva G. Ashworth
Senior Assistant Attorney General

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